

Article - Local Government

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§12-409.

(a) (1) The County Commissioners of Garrett County may:

(i) purchase or lease personal property under a multiyear contract that requires the county commissioners to make installment or rental payments during 2 or more fiscal years;

(ii) pay interest as part of any installment or rental payments in accordance with the terms of the contract; and

(iii) pledge and assign the personal property purchased or leased to secure the obligation.

(2) (i) The county commissioners may enter into a contract under paragraph (1) of this subsection only if:

1. the county commissioners have appropriated money sufficient to pay the amount due under the contract during the first fiscal year in which the contract is effective;

2. subject to subparagraph (ii) of this paragraph, the contract authorizes the county commissioners to terminate the contract if money sufficient to pay the amount due under the contract for any fiscal year is not appropriated;

3. the contract provides that, except if the county commissioners default in payment under the contract, an obligation for payment under the contract is limited to money appropriated for contract payment for that fiscal year; and

4. the contract provides that, if the county commissioners default in payment under the contract, the obligation for payment is limited to:

A. money appropriated for contract payments for that fiscal year;

B. any money realized from the personal property purchased or leased under the contract; and

C. any other money legally available for contract payment.

(ii) The contract may provide that a contract termination is ineffective if the county commissioners purchase or lease personal property similar or functionally related to the property purchased or leased under the contract within a specified period of time.

(b) The County Commissioners of Garrett County may dispose of surplus county personal property by:

- (1) public auction;
- (2) public sale;
- (3) a trade-in for new or used equipment;
- (4) recycling; or
- (5) disposal in the Garrett County landfill.

(c) (1) In Garrett County, if a public sale of surplus real property does not yield a bid for the property, the County Commissioners of Garrett County:

- (i) shall record in their minutes that no bids were made;
- (ii) may sell the surplus property by private sale for a reasonable price; and
- (iii) shall announce the sale agreement at the first meeting after making the agreement.

(2) The county commissioners shall adopt regulations to implement this subsection.

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